

COMMITTEE ON EDUCATION AND
THE WORKFORCE

SUBCOMMITTEE ON HIGHER EDUCATION AND
WORKFORCE TRAINING

SUBCOMMITTEE ON WORKFORCE PROTECTIONS

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM

SUBCOMMITTEE ON TRANSPORTATION AND PUBLIC ASSETS

SUBCOMMITTEE ON HEALTH CARE, BENEFITS, AND
ADMINISTRATIVE RULES

Congress of the United States
House of Representatives
Washington, DC 20515

March 28, 2016

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The Honorable Jason Chaffetz
Chairman
Committee on Oversight & Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Elijah Cummings
Ranking Member
Committee on Oversight & Government Reform
2471 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Chaffetz and Ranking Member Cummings:

As a member of the Committee on Oversight & Government Reform and a fierce advocate for educating America's youth about the potential negative consequences of traumatic brain injuries (TBI), including concussions, I am deeply concerned by recent reports that reaffirm long-standing criticisms of the National Football League's (NFL) concussion-related research. I respectfully request that the committee holds a hearing to better understand the NFL's actions related to concussions and what is being done to educate our youth about the dangers of TBI.

While I commend the NFL for its recent efforts to make the game of football safer, including rules changes and modified medical protocols, for far too long the League and its teams have pushed back against mounting scientific evidence linking head trauma sustained on the field to long-term cognitive damage, including chronic traumatic encephalopathy (CTE). Last week, the *New York Times* reported that data gathered by the NFL between 1996 and 2001 to study the dangers of concussions that provided the basis for multiple research papers discounting the dangers of head injuries excluded at least ten percent of head injuries diagnosed by team doctors from its findings. This blatant gap in data collection and analysis undermines the credibility of the NFL's reports and calls into question the League's commitment to fully understanding the dangers associated with the sport.

According to the *New York Times*, the NFL suggests that the studies never purported to include all concussions and that teams were not mandated to participate; however, the League also claimed that the reports were vetted through a rigorous, confidential peer-review process. Regardless, these reports clearly slowed the march toward safer techniques, better technology, and improved education on football fields across the U.S., and provided false comfort to coaches, student athletes, and parents. Even today, prominent figures like Dallas Cowboys owner Jerry Jones continue to discount the potential relationship between head injuries and long-term cognitive issues like CTE. Yet, the NFL settled a multi-million dollar lawsuit in 2013 with more than 4,500 athletes and their families that accused the League of covering up the risks of concussions.

While the NFL relinquished its long-held tax exempt status last year, the League still enjoys certain antitrust exemptions allowing it to act as a monopoly, making their actions and policies uniquely provocative to Congress and our committee. In the interest of providing our parents and coaches with the information they need to determine the long-term impacts of all contact sports on student athletes, it is my hope that you will convene a hearing to better understand the NFL's position and ongoing efforts regarding concussion-related research.

I thank you in advance for your consideration of my request and look forward to working with you to address this important issue. If you have any questions or concern, please do not hesitate to contact Emlyn Struthers in my Washington, D.C. office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark DeSaulnier", with a stylized flourish at the end.

Mark DeSaulnier
Member of Congress